

Submitted October 25, 2023
Approved October 25, 2023

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION
MEETING NO. 12-2023
Wednesday, July 26, 2023**

The City of Rockville Planning Commission convened in regular session at City Hall and virtually via WebEx at 7:00 p.m.
Wednesday, July 26, 2023

PRESENT

Eric Fulton - Chair

Suzan Pitman	Sam Pearson
Jaime Espinosa	Shayan Salahuddin
	John Tyner II

Present: Nicholas Dumais, Senior Assistant City Attorney
Jim Wasilak, Chief of Zoning
Nelson Ortiz, Principal Planner

Chair Fulton opened the meeting at 7:00 p.m.

I. REVIEW AND ACTION

A. Final Record Plat Application PLT2023-00617, to Consolidate Parts of Three Record Lots and Part of Former Church Street into One Record Lot in the MXT (Mixed-Use Transition) Zone and Partially in the South Washington Street Historic District at 22 West Jefferson Street; 22 West Jefferson St., LLC, Applicant

Mr. Wasilak swore in Mr. Ortiz, who stated that he would testify truthfully. Mr. Ortiz then presented the staff report and recommendation, which was for approval with conditions. He noted that the State Highway Administration (SHA) recommended that condition no. 13 be revised, which will require the replatting of the lot to dedicate right-of-way on MD 28, prior to issuance of an occupancy permit.

Soo Lee-Cho, with the law firm of Bregman, Berbert, Schwartz and Gilday, representing the applicant, stated that the applicant accepts the revised conditions.

Commissioner Tyner moved, seconded by Commissioner Salahuddin, to approve Final Record Plat application PLT2023-00617, subject to the conditions listed on pages 12-13 of the staff report, and including the recommended revisions to Condition No. 13 regarding right-of-way dedication on West Jefferson Street. The motion passed 6-0.

II. RECOMMENDATION TO THE MAYOR AND COUNCIL

A. Project Plan Application PJT2023-00015, an Amendment to the Planned Development for

Tower Oaks to Permit Construction of 82 Townhomes at 2200 Tower Oaks Boulevard, and to Request an 18 Percent Parking Reduction for the Existing Office Building at 2000 Tower Oaks Boulevard in the PD-TO (Planned Development - Tower Oaks) Zone; Michael Harris Properties, LLC., Applicant

Mr. Wasilak explained that the application is an amendment to the Tower Oaks Planned Development, which requires approval of a Project Plan by the Mayor and Council. The Commission's role is to make a recommendation to the Mayor and Council.

Mr. Ortiz presented the staff report and recommendation, which is for approval. He highlighted that staff and the Transportation and Mobility Commission recommend construction of a sidewalk extension to Wootton Parkway from the project, which the applicant has agreed to. In addition, staff recommends approval of the parking reduction for the office building, as it meets the Zoning Ordinance criteria. He outlined the review process to date, and the recommended findings for approval. Staff further recommended revisions to the condition on parking for Moderately Priced Dwelling Units (MPDUs).

Commissioner Salahuddin asked whether there was sufficient room to construct the sidewalk along the north side of the Wootton Parkway entrance, and Mr. Ortiz clarified that the applicant had agreed to construct a 5-foot wide sidewalk that meets accessibility requirements. Commissioner Salahuddin also asked if the parking for MPDUs would be included within the project to constitute the two spaces per unit, and Mr. Ortiz responded that each townhouse will have two spaces within the unit, including MPDUs.

Chair Fulton asked if the pedestrian network allows for pedestrian passage between the sections of townhouses, and Mr. Ortiz responded that it did. Commissioner Tyner asked whether the five coordination items will be addressed, and Mr. Ortiz answered that the applicant has committed to address each of them. Commissioner Tyner asked for clarification on construction of the new sidewalk on Public Street A, and Mr. Ortiz responded that it would be constructed by the applicant so that there will be sidewalks on both sides of the street. Chair Fulton noted that several of the City's commission members were supportive of the sidewalk to be constructed.

Harris Schwalb, managing member of the applicant, expressed support for the recommended conditions, and stated that the applicant team is present to respond to questions. Commissioner asked about the tandem parking spaces to be provided in the MPDUs, and Mr. Schwalb responded that the applicant commits to providing two spaces of 9 feet by 18 feet for each MPDU.

Commissioner Pearson applauded the coordination between the applicant and staff, and that he was quite satisfied with the project.

Commissioner Tyner asked if the applicant explored what the future of Tower Oaks would be. Mr. Schwalb responded that many office parks are becoming more mixed use in nature, including more residents, throughout the country. This trend extends to Tower Oaks as well.

Chair Fulton asked if anyone from the public wished to speak, and no one spoke.

Commissioner Salahuddin asked what kind of motion is called for, and Mr. Dumais responded that the motion could be to recommend approval or denial to the Mayor and Council.

Commission Pitman moved, seconded by Commissioner Tyner, to forward to the Mayor and Council a recommendation of approval of Project Plan PJT2023-00015, a proposed amendment to the Tower Oaks Planned Development, including the requested waiver of the parking requirements based on staff recommended findings and conditions, including the revised condition no. 34. The motion passed 6-0.

III. COMMISSION ITEMS

A. Staff Liaison Report – Mr. Wasilak noted that the next Planning Commission meeting would be on September 13th that will include a recommendation on the parkland dedication zoning text amendment, as there is some additional adjustments necessary that kept it off tonight's agenda. There will also be a public hearing on the draft Pedestrian Master Plan. The Mayor and Council would like to adopt the plan during the current term, so a schedule has been established to do that, with the Commission hearing on September 13 and recommendation on September 27. He noted that the zoning text amendment to regulate short term residential rentals would also be discussed in September.

B. Old Business – None.

C. New Business – Special meeting: Mr. Wasilak noted that the potential special meeting on August 30 would not need to accommodate the Pedestrian Master Plan hearing as previously discussed, opening up that potential meeting for a partial retreat or discussion of zoning items related to the Zoning Ordinance Rewrite. Chair Fulton asked if commissioners are available on August 30, and if not, perhaps during the first week of September. Commissioners noted that they all should be present for that meeting.

D. Minutes Approval– Meeting No. 8-2023: Commissioner Tyner moved, seconded by Commissioner Pitman, to approve the minutes for Meeting No. 8-2023 on May 10, 2023. The motion carried 4-0 with Commissioners Espinosa and Salahuddin abstaining.

Meeting No. 9-2023: Meeting No. 9-2023: Commissioner Salahuddin moved, seconded by Commissioner Pitman, to approve the minutes for Meeting No. 9-2023 on June 14, 2023

E. FYI/Correspondence – The Commission presented a certificate from the Mayor and Council to Commissioner Tyner. Commissioner Pitman read the citation, which thanked Commissioner Tyner for his 16 years of service on the Commission.

Chair Fulton presented a gavel and proclaimed Commissioner Tyner to be "Planning Commissioner Emeritas." Commissioner Tyner expressed his thanks to the commissioners and staff members past and present.

IV. ADJOURN

There being no further business to come before the Planning Commission, Commissioner Tyner moved, seconded by Commissioner Pitman, that the meeting be adjourned at 7:55 p.m. The motion was approved unanimously.

Respectfully Submitted,

A handwritten signature in blue ink that reads "R. James Wasilak". The signature is written in a cursive style with a large, stylized "R" and a clear, legible name.

Commission Liaison